

PATENT
450100-03253.1**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-3, 5-8, 10-13, 15-18, 20-23, and 25 are in the present application. It is submitted that these claims, are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosner et al. (U.S. Patent 6,636,968) in view of Schneier (article "Applied Cryptography").

The present claims now recite: "generating on the basis of said encryption key, sets of passkeys by dividing said encryption key by a division pattern unique to each of said specific destinations and based on the content of said digital data." (Claim 2; all claims contain similar limitations) When the present invention generates passkeys, an encryption key is divided by a division pattern which is different for each destination and is based on the content of the digital data. (Specification page 39, lines 18-21). Applicants assert that neither Rosner nor Schneier discloses an analogous teaching to the unique division patterns required in the present invention.

The Examiner attempts to meet this limitation by asserting that "Schneier further teaches that the key should be split using random numbers, which would be unique for each splitting

PATENT
450100-03253.1

(See Schneier Pages 70-71 Section 3.6 Secret Splitting)." (Office Action page 3) However, Schneier actually states: "To split a message among more than two people, XOR more random-bit strings into the mixture." (Schneier page 70) Hence, Schneier discloses using random numbers in splitting the message (i.e. the digital data or content) rather than splitting the encryption key as claimed by the Examiner. Further, the use of random numbers still leaves open the possibility that the same number could be generated twice, in which case the division pattern would not be unique to each of said specific destinations as required in the present claims. Moreover, Schneier's random numbers cannot meet the additional limitation requiring the division pattern be "based on the content of said digital data" as recited in the present claims.

Accordingly, for at least these three reasons, Rosner and Schneier fail to meet this unique division pattern limitation and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

PATENT
450100-03253.1

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



William S. Frommer

Reg. No. 25,506

(212) 588-0800